

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

OTIS J. BENNETT

PLAINTIFF

VS.

CIVIL ACTION NO. 4:06CV17LS

**DAREALL THOMPSON and
ANTHONY BALL**

DEFENDANTS

JUDGMENT

This matter having come on to be heard on this date upon the Report and Recommendation of the United States Magistrate Judge entered in this cause on or about September 26, 2006, and the Court, after a full review of the record, having adopted said Report and Recommendation as the finding of this Court by Order dated this day, finds that this matter should be dismissed with prejudice, and this dismissal should count as a strike for purposes of 28 U.S.C. § 1915(g).

IT IS, THEREFORE, ORDERED AND ADJUDGED that the above described claims should be, and the same are hereby, dismissed with prejudice.

SO ORDERED AND ADJUDGED this the 12th day of October, 2006.

/s/ Tom S. Lee
UNITED STATES DISTRICT JUDGE